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2
3 **RESOLUTION NO. 05-56**

4 A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE
5 VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO REAL
6 PROPERTY; RELEASING AN INTEREST IN CERTAIN REAL
7 PROPERTY AND ABANDONING A RIGHT-OF-WAY FOR AN ALLEY
8 LOCATED BETWEEN S.W. 166TH STREET AND 167TH STREET AND
9 INTERSECTING OLD CUTLER ROAD; PROVIDING FOR REVERTER
10 OF TITLE TO ADJACENT PROPERTY OWNERS; AND PROVIDING AN
11 EFFECTIVE DATE.

12
13 WHEREAS, the Mayor and Village Council of the Village of Palmetto Bay hold title
14 to public land in trust and have the power to discontinue the use of streets and alleys, and to
15 abandon and vacate rights-of-way when it is in the public interest; and,
16

17 WHEREAS, certain owners of the property abutting the right-of-way between S.W.
18 166th Street and S.W. 167th Street at Old Cutler, with the following legal description:
19

20 A 15 foot alley bounded in the North and South by Lots 1,2,3,4-7,8,9,10,11, and12-13
21 of block A "Robert's Subdivision" according to the plat thereof as recorded in Plat
22 Book B at page 23 of the Public Records of Miami- Dade County, Florida
23

24 Have petitioned the Village to abandon the alley; and,
25
26

27 WHEREAS, the right-of-way between S.W. 166th Street and S.W. 167th Street at Old
28 Cutler Road is not being maintained; is not used for emergency vehicle access to the rear of
29 the properties; and is not used as legal access to any of the properties abutting the right-of-
30 way; and,
31

32 WHEREAS, the Village Manager recommends abandoning the right-of-way; and,
33

34 WHEREAS, all adjacent property owners have been notified in writing, by letter dated
35 March 21, 2005, of the proposal abandonment of the right-of-way; and,
36

37 WHEREAS, in accordance with section 336.10, Florida Statutes, the village advertised
38 a public hearing on the proposed abandonment of the right-of-way; which was advertised in
39 the Miami Herald on June 24, 2005, which is at least 14 days prior to this public hearing; and,
40

41 WHEREAS, the Mayor and Village Council desire to abandon the described right-of-
42 way; and,
43

44 NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND VILLAGE
45 COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:
46
47

1 Section 1. The Whereas clauses are incorporated and made a part of this
2 resolution.
3

4 Section 2. The Village of Palmetto Bay releases all interest in, and vacates and
5 abandons the above described right-of-way.
6

7 Section 3. Title to the midpoint of the abandoned right-of-way shall revert to the
8 adjacent lots. The lots are owned by, and more particularly described, as:
9

- 10 Lot 1 1-A, Peter Clancy/Renderos, 7240 S.W. 166th Street
11 Mailing Address: 16921 S.W. 80th Court, 33157;
12
13 1-B, Nisa Freed/ Cary Sochin, 7260 S.W. 166th Street;
14
15 Lot 2, Vacant, 7270 S.W. 166th Street
16 Mailing Address: Andrew D. Pfeil, 14400 S.W. 216th Street, 33170;
17
18 Lot 3, Hodgkins, 7280 S.W. 166th Street
19
20 Lot 4-7, Under Construction
21 Mailing Address: Nick Gomez, Casabella Custom Homes,
22 P.O. Box 972717, 33197;
23
24 Lot 8, A. Mestre, 7275 S.W. 167th Street;
25
26 Lot 9, Ali Aref, 7265 S.W. 167th Street;
27
28 Lot 10-11, Charles Dean, 7255 S.W. 167th Street;
29
30 Lot 12-13, Grossenbacher/Orta, 7245 S.W. 167th Street
31

32 Section 4. Upon the adoption of this resolution, the Village of Palmetto Bay
33 disclaims any and all interest in the abandoned property, disclaims any and all legal
34 responsibility relating to the right-of-way and drainage in the area, and further disclaims any
35 and all legal liability relating thereto.
36

37 Section 5. Notice of the vacating of the described right-of-way shall be published
38 one time within 30 days of the adoption of this resolution in the Miami Herald. A certified
39 copy of this resolution and proof of the publications of the notice of hearing and of the
40 adoption of this resolution shall be recorded in the public records of Miami-Dade County. The
41 Village Clerk shall provide a copy of these documents to the Miami-Dade County Tax
42 Assessor.
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44 Section 6. If any section, clause, sentence, or phrase of this resolution is for any
45 reason held invalid or unconstitutional by a court of competent jurisdiction, the holding shall
46 not be affect the validity of the remaining portions of this resolution.
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physician,
 reestablish-
 St.
ALL
 19880 SW
 ll Inc., man-
 30th St.
 le/distribu-
Services,
 61 SW 130th
 Inc., man-
 139th Ct.
rvices LLC,
 ations,
 ore, 14942
 /boat ser-
 133rd Ct.
 animal ser-
 Ave.
 nc., retail
 Ln.
 rida Inc.,
 service,
 nd Export
 020 SW
 nc., general
 1913 SW
 whole-
 0 SW 139th
Services
 13 SW 124th
 ce/repairs,
 retail store,
 state bro-
 ter,
 general
 0524 SW
 MD, physk
 St.
LLC, deliv-
 SW 147th
ns Inc.,
 139th Ct.
 re, 8827 SW

TIRED OF HIGH PHONE BILLS?

\$24⁹⁵

NEW SERVICE • RE-CONNECT • RESIDENTIAL • BUSINESS

- NO DEPOSIT
- NO CREDIT
- NO I.D.



VILLAGE OF PALMETTO BAY NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY given that the Village Council of the Village of Palmetto Bay, Florida will conduct a public hearing during its regular Village Council meeting on July 11, 2005 beginning at 7:00 p.m., at the Deering Estate Visitor's Center, 16701 S.W. 72 Avenue, Palmetto Bay, FL 33157, to consider the following described resolution(s):

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO REAL PROPERTY, RELEASING AN INTEREST IN CERTAIN REAL PROPERTY AND ABANDONING A RIGHT-OF-WAY FOR AN ALLEY LOCATED BETWEEN S.W. 166 STREET AND S.W. 167 STREET AND INTERSECTING OLD CUTLER ROAD; PROVIDING FOR REVERTER OF TITLE TO ADJACENT PROPERTY OWNERS; PROVIDING AN EFFECTIVE DATE

The said resolution can be inspected in the Village Clerk's Office, Monday - Friday during regular office hours. Inquiries concerning these items should be directed to the Village Manager's office at: (305) 259-1234. All interested parties are invited to attend and will be heard.

Meighan J. Pier
 Village Clerk
 Village of Palmetto Bay

Pursuant to section 286.0105, Florida Statutes, the Village hereby advises the public that if a person decides to appeal any decision made by this Board, Agency or Council with respect to any matter considered at its meeting or hearing, he or she will need a record of the proceedings, and that for such purpose, affected person may need to ensure that a verbatim record of the proceedings is made which record includes the testimony and evidence upon which the appeal